

LEGISLATIVE COUNCIL

OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019

(Amendments and New Clause to be proposed in Committee by Mr LEANE)

1. Clause 2, line 26, omit "January" and insert "December".
2. Clause 3, after line 8 insert—

"hotel and resort management contract means, in relation to a hotel, resort or serviced apartment complex on land affected by an owners corporation—

 - (a) a letting agreement to provide an on-site letting manager (being a manager who lives at the hotel, resort or serviced apartment complex who manages letting of accommodation at the hotel, resort or complex); or
 - (b) a common property agreement (including but not limited to a lease or a licence) to use common property for the purposes of—
 - (i) operating an on-site letting business at the hotel, resort or serviced apartment complex; or

Example

Office, storage area or reception area.

 - (ii) providing caretaking services at the hotel, resort or serviced apartment complex; or
 - (c) a building maintenance or facilities management agreement to provide caretaking services at the hotel, resort or serviced apartment complex; or
 - (d) any prescribed agreement or prescribed class of agreement relating to the management of a hotel, resort or serviced apartment complex by a third party;".
3. Clause 35, line 34, after "duration" insert ", unless the term is in a contract that is a hotel and resort management contract that complies with the prescribed requirements (if any)".

NEW CLAUSE

4. After clause 83 insert the following New Clause:

'83A Regulations

After section 204(1)(db) of the **Owners Corporations Act 2006** insert—

- "(dc) prescribing for the purposes of section 67B(2) requirements for or in relation to hotel and resort management contracts or classes of hotel and resort management contracts, including but not limited to—

- (i) restricting the duration of those contracts;
 - (ii) limiting or placing parameters on fees and charges under those contracts or increases on those fees and charges;
 - (iii) prohibiting or regulating the inclusion of specified terms or conditions in those contracts;".!
5. Clause 84, page 71, line 1, omit "January" and insert "December".
 6. Clause 93, line 3, omit "January" and insert "December".